

or survivor of such a person, which exceeds the higher of (1) the salary receivable by the person currently serving in the judicial office in which the retired person served or (2) the highest salary that was received by the retired person while serving in that judicial office.

(c) The Legislature may define the terms used in this section.

RESOLUTION CHAPTER 91

Senate Concurrent Resolution No. 7—Relative to the Free Speech Movement.

[Filed with Secretary of State September 17, 1985.]

WHEREAS, The First Amendment of the Constitution of the United States guarantees freedom of speech and assembly as an inalienable right; and

WHEREAS, It is the duty of public institutions to preserve and protect the basic human rights guaranteed by the United States Constitution; and

WHEREAS, The expression of diverse points of view is basic to the principle of learning in public institutions of higher education; and

WHEREAS, The Free Speech Movement began at the University of California at Berkeley in October of 1964 as a response by students to the curtailment of their First Amendment rights by the university; and

WHEREAS, The peaceful protest by students, which later received the support of the academic senate, resulted in a lifting of the University of California's ban on the advocating of political activity or soliciting of funds for a nonuniversity cause on campus and charged the chancellor with the responsibility to assure an ongoing opportunity for the expression of a variety of viewpoints; and

WHEREAS, Violence stemming from the protest movement of the 1960's, whether the instigators in any specific case were students or police, should be repudiated in the strongest possible terms; and

WHEREAS, In response to criticisms that originated in the Free Speech Movement, University of California policy now explicitly protects the rights of free expression, speech, assembly, worship, and distribution and sale of noncommercial literature incidental to the exercise of these freedoms on university grounds; and

WHEREAS, University policy now also recognizes the right of student government to address and take positions on public issues as well as the constitutional rights of faculty, students, or staff to participate, either as individuals or as members of groups, in the political process of supporting candidates for public office or any other political activity; and

WHEREAS, The changes brought about by the Free Speech Movement at the University of California have served as a model for

the advancement of First Amendment rights on campuses throughout the nation and have been critical to the debate of contemporary political issues on campuses, to combating apathy, and to furthering the involvement of students in the political process; and

WHEREAS, The Free Speech Movement emerged from the civil rights movement and with it spawned the third world student strike and the anti-war movement, each of which had an important history on campus communities; and

WHEREAS, These movements have resulted in programs and departments such as ethnic studies, women's studies, peace and conflict studies and student initiated seminars which have increased the diversity of learning and assure an ongoing opportunity for the expression of a variety of viewpoints on campuses throughout the state; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature hereby declares that October 1, 1985, and each October 1 thereafter, is hereby designated Free Speech Day; and be it further

Resolved, That copies of this resolution be transmitted by the Secretary of the Senate to the Regents of the University of California, the Mayor of the City of Berkeley, the Graduate Assembly of the University of California at Berkeley, the Associated Students of the University of California at Berkeley, the University of California Student Body Presidents' Council, and the University of California Student Lobby.

RESOLUTION CHAPTER 92

Senate Concurrent Resolution No. 8—Relative to safety in the use of mobile radio telephones.

[Filed with Secretary of State September 17, 1985]

WHEREAS, Cellular radio telephone technology continues to be refined and improved, offering motorists new communication options, and, as cellular franchise territories continue to be designated, the declining costs of owning and operating mobile telephone equipment could dramatically increase the use of telephones in automobiles in the metropolitan areas of this state; and

WHEREAS, Data compiled by the United States Census Bureau show that cities in California have the greatest number of automobiles per square mile in the nation; and

WHEREAS, Inattention by drivers contributes to many automobile accidents each year, often involving personal injuries and fatalities; and

WHEREAS, Data is lacking on the relationship between the use of mobile radio telephones and metropolitan highway vehicle